



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

March 17, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

24 March 17, 2015


PATRICK O'QUINN
ACTING EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
WALNUT CREEK SPREADING BASIN
PUMP STATION PROJECT
IN THE CITY OF COVINA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the Walnut Creek Spreading Basin Pump Station Project in the City of Covina, find the project categorically exempt from the provisions of the California Environmental Quality Act, adopt the plans and specifications, authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Chief Engineer or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for the Walnut Creek Spreading Basin Pump Station Project, at an estimated construction contract cost between \$800,000 and \$1,100,000.

3. Instruct the Acting Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on April 14, 2015, in accordance with the Notice Inviting Bids.
4. Authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to determine whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid.
5. Authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid within the estimated cost range and deliver the project.
6. Delegate to the Chief Engineer of the Los Angeles County Flood Control District or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board, acting as the governing body of the Los Angeles County Flood Control District, to approve and advertise the project, adopt the plans and specifications, authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Chief Engineer or her designee to carry out this project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by improving the maintenance and operation of this water conservation facility to reduce dependence on imported water thereby providing residents of the County of Los Angeles with a more economical and dependable source of water.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$800,000 to \$1,100,000. The total project cost is estimated to be \$1,471,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, construction engineering, inspection, contract administration, change order contingency, and other County services.

The project was awarded Proposition 84 Round 2 grant funds. The Flood Fund will provide the required \$870,985 minimum funding match for construction. Additional construction costs above that amount will be reimbursed with Proposition 84 grant funds.

Funding for this project is included in the Fiscal Year 2014-15 Flood Control District Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of the Department of Public Works' ongoing program for the restoration and alteration of groundwater recharge facilities. It will be advertised in accordance with Section 20991 of the State Public Contract Code.

This project is to be completed in 50 working days. It is anticipated the work will start in June 2015 and be completed in August 2015.

Delegating to the Chief Engineer or her designee the authority to award and execute this construction contract allows an expedited contracting process, in order to meet the Proposition 84 grant completion deadline of March 15, 2016, and to construct the project during the 2015 dry season.

The award of the contract will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the District to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the District to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the District to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is exempt from California Environmental Quality Act (CEQA) per Sections 15301(b) and (d) and Section 15282(k) of the CEQA Guidelines and Class 1 Subsections (e), (l), and (u) of the revised County Environmental Document Reporting Procedures and Guidelines, Appendix G. This project involves the restoration of an existing public service groundwater recharge facility, minor alterations of facility by adding pumps, and the installation of a new pipeline less than one mile in length within public right of way to provide a minor change to the method of conveyance of stormwater flows to downstream spreading ground facilities. The project involves negligible or no expansion of an existing use. Further, the project is not located in a sensitive area and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the project records.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Chief Engineer or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by increasing water recharge capacity and improving the maintenance and operation of this water conservation facility.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:lg

c: Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)